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11  
12 IN THE UNITED STATES DISTRICT COURT  
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 **RONALD BRATTON,**

Plaintiff,

16  
17 v.

18 **BEN CURRY, ET AL.,**

19 Defendants.  
20

C 07-2928 JSW

**DECLARATION OF J.  
NYGAARD IN SUPPORT OF  
DEFENDANTS' REQUEST  
FOR EXTENSION OF TIME**

21 I, J. Nygaard, declare as follows:

22 1. I am employed by the Office of the California Attorney General as a Deputy Attorney  
23 General in the Correctional Law Section. Lisa Sciandra, the Deputy Attorney General assigned  
24 to represent Defendants Curry, Chudy, Hill, Hedrick, Raghunath, Grannis, Aboytes, and Klein  
25 (Defendants) in this case, is currently on medical leave.

26 2. Defendants filed motions to dismiss and for summary judgment on June 23, 2008. On  
27 May 19, 2008, this Court ordered Defendants to file a reply brief no later than fifteen days after  
28 Plaintiff's opposition to Defendants' motions to dismiss and summary judgment is filed. After

Decl. J. Nygaard Supp. Defs.' Rqst. EOT

*Bratton v. Curry, et al.*  
C 07-2928 JSW

1 receiving two extensions of time, Plaintiff's opposition was filed August 26, 2008.


2 3. Ms. Sciandra has been on medical leave since July 21, 2008, and is expected to return  
3 on September 2, 2008. Ms. Sciandra has reply briefs in two other cases in the United States  
4 District Court, Northern District of California due September 10, 2008, and September 15, 2008.  
5 She also has an answering brief in a case in the Ninth Circuit due October 14, 2008. An  
6 extension of time for Defendants to file their reply brief up to and including October 10, 2008,  
7 should provide Ms. Sciandra sufficient time to prepare a reply upon returning from medical  
8 leave.

9 4. Plaintiff is a state prisoner and cannot be easily contacted about an extension of time.

10 5. Defendants previously received two extensions of time in which to file a dispositive  
11 motion. Plaintiff also received two extensions of time in which to file his opposition to  
12 Defendants motions to dismiss and summary judgment.

13 6. This request for extension of time is not made for any purpose of harassment or undue  
14 delay, or for any improper reason.

15  
16 I declare under penalty of perjury that the foregoing is true and correct to the best of my  
17 knowledge, and that this declaration was executed on August 29, 2008, in San Francisco,  
18 California.

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21 JENNIFER J. NYGAARD  
22 Deputy Attorney General

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